

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Harold Charych,

Plaintiff,

-against-

Siriusware, Inc.; Accesso Technology Group,  
PLC; Axess North America, LLC; Axess  
International, AG; Active Network, LLC; Vista  
Equity Partners, LLC; SKIDATA, Inc.;  
SKIDATA, AG,

Defendants.

No. 2:17-cv-00468-JS-GRB

**PLEASE TAKE NOTICE** that Defendants Active Network, LLC (“Active”) and Vista Equity Partners, LLC (“Vista”) do not oppose Plaintiff’s Cross-Motion to Amend (Dkt. 58). The proposed Third Amended Complaint does not cure any of the deficiencies raised in Active and Vista’s Memorandum of Law in Support of their Motion to Dismiss (Dkt. 54-1). Accordingly, Active and Vista shall further address these deficiencies and the allegations in the Second Amended Complaint and the proposed Third Amended Complaint in their forthcoming Reply in Further Support of their Motion to Dismiss, due October 27, 2017 by order of this Court.

Dated: New York, New York  
October 18, 2017

/s/ Matthew Solum

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